AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method in a distribution system for distributing images to client systems, the method comprising:

when a communication is received at the distribution system from ~~the~~ a client system via a communications link, recording an indication that the client system communicated with the distribution system via the communications link; and

when an image is to be distributed by the distribution system to a client system,

determining whether an indication has previously been recorded ~~indication indicates~~ that the client system has communicated with the distribution system via the communications link;

when ~~it is determined~~an indication has previously been recorded that the client system has communicated with the distribution system via the communications link, sending the image to the client system via the communications link; and

when ~~it is determined~~an indication has not previously been recorded that the client system has ~~not~~ communicated with the distribution system via the communications link, indicating to send the image to the client system via a mechanism other than the communications link.

2. (Original) The method of claim 1 wherein the communications link is the Internet.

3. (Original) The method of claim 1 wherein the mechanism other than the communications includes a physical computer-readable medium.

4. (Original) The method of claim 3 wherein the computer-readable medium includes a disc-based medium.

5. (Currently Amended) The method of claim 3 wherein when ~~it is determined~~an indication has not previously been recorded that the client system has ~~not~~ communicated with the distribution system via the communications link, recording the image on the computer-readable medium.

6. (Currently Amended) The method of claim 1 wherein the recorded indication includes a time associated with the communication received ~~communication~~ from the client system and wherein ~~it is determinin~~ged whether the indication has previously been recorded ~~that the client system has communicated via the communications link if~~ comprises determining whether the time associated with ~~the last~~a most recently received communication ~~for~~ from the client system is within a certain time period.

7. (Original) The method of claim 1 wherein when the sending of the image to the client system via the communications link fails, sending the image to the client system via a mechanism other than the communications link.

8. (Currently Amended) The method of claim 1 wherein the communication received from the client system is a heartbeat that is sent periodically to the distribution system by the client system.

9. – 36. (Canceled)

37. (Currently Amended) An image distribution system, comprising:

a component that receives via a communications link communications from client systems;

a component that provides packages of images to be distributed to client systems;

a component that determines, when a package of images is to be distributed to a client system, whether ~~a~~ the package of images should be distributed to ~~a~~ the client system via the communications link or via a mechanism other than the communications link based on ~~when~~ whether a communication ~~was~~ has recently been received via the communications link from the client system; and

a component that directs the distribution of a package of images to a client system in accordance with the determination.

38. (Previously Presented) The system of claim 37 wherein the communications link is the Internet.

39. (Previously Presented) The system of claim 37 wherein the mechanism is a physical computer-readable medium.

40. (Previously Presented) The system of claim 39 wherein the computer-readable medium is a disc-based medium.

41. (Previously Presented) The system of claim 39 including a component that records the package of images on the computer-readable medium.

42. (Previously Presented) The system of claim 37 wherein the determination is made based on when a client system last communicated with the image distribution system via the communications link.

43. (Previously Presented) The system of claim 37 wherein the communications received from client system includes heartbeat communications.

44. (Previously Presented) The system of claim 37 including a component that sends via the communications link a package of images to a client system.

45. (Previously Presented) The system of claim 37 wherein each package of images includes images selected based on preferences for the client system to which the package is to be sent.

46. (Previously Presented) A method in a computer system for distribution of images to client systems, the method comprising:

receiving via the Internet heartbeat communications from each client system, the heartbeat communications being HTTP requests;

recording indication of receipt of the heartbeat communications from the client systems;

determining whether an image is to be sent to a client system via the Internet or via some other mechanism based on heartbeat communications received from the client system as indicated by the recorded indications of the receipt of heartbeat communications; and

sending the image to the client communications via the Internet or via some other mechanism based on the determination.

47. (Previously Presented) The method of claim 46 wherein the mechanism is a physical computer-readable medium.

48. (Previously Presented) The method of claim 47 wherein the computer-readable medium is a disc-based medium.

49. (Previously Presented) The method of claim 47 including recording the image on the computer-readable medium.

50. (Previously Presented) The method of claim 46 wherein the determination is made based on when a client system last sent a communication via the Internet.

51. (Previously Presented) The method of claim 46 including sending via the Internet the image to a client system.